

Publication of notice before sale

Appraisalment Sale

What deductions from proceeds of sale

Overplus for owner

days next after such distress taken, and notice thereof given, with the cause of taking, to the owner or his agent, or left at his residence, in the event of his absence, and having no known agent, then the person so distraining may apply to a justice of the peace of the county, who, upon being satisfied that the notice hereinbefore directed has been given, shall order him to sell the same at public sale on ten days' notice, to be set up at three of the most public places in the neighborhood, and if the said justice shall deem it proper, to be inserted in any newspaper published in such county; and such distrainer, upon such order, with the sheriff or constable of the county, shall cause the animals distrained to be appraised by two appraisers, to be sworn by such sheriff or constable, and may sell the same for the best price that can be gotten towards satisfaction of all the charges arising from such distress, appraisalment and sale, and also such damages as may have been sustained by such distrainer, to be ascertained by the appraisers of the animals distrained at the time of the appraisalment thereof, leaving the overplus, if any, in the hands of the sheriff or constable for the owner's use.

DOGS.

1876, c 315
When dogs may be killed

10. If any dog or dogs shall be detected in killing, injuring, or pursuing any sheep, the owner of said sheep shall have full power and right to kill said dog or dogs, unless said dog or dogs shall have first escaped to his, her, or their owner's premises.

Id s 2
Damages recovered before justice of the peace

Bond to be given

Right of appeal
What counties exempt

11. Any person, whose sheep has been killed or injured by any dog or dogs, may proceed against the owner of such dog or dogs, before any justice of the peace of this State, having jurisdiction within the county where the killing or injuring may have occurred, who shall forthwith issue a summons for the owner of such dog or dogs, and for such witnesses as may be necessary to ascertain the amount of damages sustained by such killing or injury; and such justice of the peace shall forthwith give judgment for such damages as may be ascertained, which shall be collected as other debts in this State are collected, and such justice shall also require the owner of such dog or dogs to give bond, with good and sufficient security, in the sum of not less than fifty dollars, that such dog or dogs shall not thereafter kill or injure any sheep; and upon failure of such owner of such dog or dogs to give such security, then said justice of the peace shall require some one of the constables of the county to proceed forthwith to kill such dog or dogs; and said constable for such killing shall be allowed the sum of one dollar for each dog killed by him, upon such order by the justice of the peace as aforesaid, to be taxed against the owner of such dog or dogs as a part of the costs in such case; *provided*, that nothing in this act shall be construed to prevent the right of appeal, as in other cases; and *provided*, further, that Caroline, Cecil, Howard, Dorchester, Wicomico, and Worcester counties be exempted from the provisions of this and the last preceding section.